

STATE OF WASHINGTON
GAMBLING COMMISSION

In the Matter of the or Revocation)	NO. CR 2015-00326
of the License to Conduct Gambling)	
Activities of:)	
)	
William P. Lamb)	NOTICE OF ADMINISTRATIVE
Ellensburg, Washington,)	CHARGES AND OPPORTUNITY FOR
)	AN ADJUDICATIVE PROCEEDING
Licensee.)	

I.

The Washington State Gambling Commission issued William P. Lamb the following license:

Number 68-26415, authorizing Card Room Employee activity, formerly with the Wild Goose Casino.

The license expires on April 6, 2015, and was issued subject to Mr. Lamb's compliance with state gambling laws and Commission rules.

II.

David Trujillo, Director of the Washington State Gambling Commission, charges the licensee with the following violations of Chapter 9.46 RCW, and WAC Title 230:

SUMMARY:

William P. Lamb, a card room employee and former ten percent owner of the Wild Goose Casino, removed cash without authorization from the card room's table drop boxes before the cash was counted. Mr. Lamb admitted to taking approximately \$1,800 from the business when the business was closed.

FACTS:

1) On December 22, 2014, a Washington State Gambling Commission Special Agent (agent) made phone contact with Jacob Brian, surveillance manager at the Wild Goose Casino. The agent was informed that there was a surveillance video which captured William P. Lamb entering the business while it was closed. Mr. Brian stated that Mr. Lamb entered the count room and opened up the locked storage cabinet and then proceeded to open up the locked table drop boxes and removed cash. Mr. Brian said he had four different occasions captured on the video of Mr. Lamb's conduct.

2) The agent reviewed surveillance and observed the following:

November 7, 2014	<ol style="list-style-type: none">1. At approximately 9:46 a.m., Mr. Lamb is observed entering the count room while the business is closed (cameras 20 and 57).2. Mr. Lamb uses two different keys to open up the double lock storage cabinet that houses the table drop boxes (cameras 20 and 57).3. Mr. Lamb is observed making movements inside the cabinet consistent with opening up table drop boxes (cameras 20 and 57).4. At approximately 9:49 a.m., Mr. Lamb is observed locking the cabinet's double lock system and exits the count room (cameras 20 and 57).
November 8, 2014	<ol style="list-style-type: none">1. At approximately 7:40a.m., Mr. Lamb is observed entering through the rear door of the building (camera 28).2. At approximately 7:42 a.m., Mr. Lamb enters the count room (cameras 20 and 57).3. Mr. Lamb uses two different keys to open up the double lock storage cabinet that houses the table drop boxes (cameras 20 and 57).4. Mr. Lamb is observed making movements inside the cabinet consistent with opening up table drop boxes and placing his left hand into his pocket (cameras 20 and 57).5. At approximately 7:45 a.m., Mr. Lamb is observed locking the cabinets double lock system and exits the count room (cameras 20 and 57).7. At approximately 7:46 a.m., Mr. Lamb exits the building through the rear door (camera 28).
December 16, 2014	<ol style="list-style-type: none">1. At approximately 2:24 p.m., Mr. Lamb is observed entering through the rear door of the building (camera 28).2. At approximately 2:26 p.m., Mr. Lamb enters the count room (cameras 20 and 57).3. Mr. Lamb uses two different keys to open up the double lock storage cabinet that houses the table drop boxes (cameras 20 and 57).4. Mr. Lamb is observed making movements inside the cabinet consistent with opening up table drop boxes and places his left hand into his pocket (cameras 20 and 57).5. At approximately 2:28 p.m., Mr. Lamb exits the count room (cameras 20 and 57).6. At approximately 2:29 p.m., Mr. Lamb enters the cashier's cage. He then proceeds to open up two drawers closes them without removing anything (Camera 8).7. At approximately 2:31 p.m., Mr. Lamb is

	<p>observed removing what appears to be a clear zip lock type bag from the back counter and exits the cashier's cage (Cameras 1 and 8).</p> <p>8. At approximately 2:32 p.m., Mr. Lamb exits the building through the rear door (camera 28).</p>
December 19, 2014	<p>1. At approximately 9:08 a.m., Mr. Lamb enters through the rear door of the building (camera 28).</p> <p>2. At approximately 9:10 a.m., Mr. Lamb enters the count room (cameras 20 and 57).</p> <p>3. Mr. Lamb uses two different keys to open up the double lock storage cabinet that houses the table drop boxes (cameras 20 and 57).</p> <p>4. Mr. Lamb is then observed making movements inside the cabinet consistent with opening up table drop boxes and places his left hand into his pocket (cameras 20 and 57).</p> <p>5. At approximately 9:14 a.m., Mr. Lamb is observed locking the cabinets double lock system and exits the count room (cameras 20 and 57).</p> <p>7. At approximately 9:16 a.m., Mr. Lamb exits the building through the rear door (camera 28).</p>

3) On December 26th, 2014, the agent received a telephone call from Mr. Lamb. Mr. Lamb agreed to meet with the agent.

4) On December 29th, 2014, agents met with Mr. Lamb. Mr. Lamb admitted to taking money from the drop boxes while the casino was closed, after shutting off the alarm system. He stated he had begun taking money in October 2014. Mr. Lamb said he had a gambling problem creating a need for money he could no longer fund on his earned income. Mr. Lamb stated that he took cash from the drop boxes approximately six times over the prior three months. He estimated that he would take between \$200.00 and \$300.00 each time. In total, Mr. Lamb estimated he took \$1,800.00. The agent asked Mr. Lamb if there were any other people involved in this conduct and he said he acted alone. Mr. Lamb acknowledged he had no legitimate business reason to enter the count room and by entering the count room alone he had violated the Wild Goose's internal controls which were designed to prevent one person from having access to the count room, storage cabinet, and table drop boxes. Mr. Lamb further acknowledged he knew he needed a security officer to open the count room door and he purposely failed to sign the key control log and count room entrance log. Mr. Lamb provided a written statement.

5) The agent contacted Mr. Howe and asked if he intended to keep Mr. Lamb on as an owner of the Wild Goose Casino. According to Mr. Howe, he would be rescinding the stock ownership that was granted to Mr. Lamb. Additionally, Mr. Howe informed the agent that Mr. Lamb had been terminated from employment at the Wild Goose Casino. On March 1st, 2015 the agent received the paperwork which indicated Mr. Lamb was removed from ownership of the Wild Goose Casino.

6) On March 13th, 2015, the agent received notification that a stock ownership change had occurred. A review of the license brief showed Mr. Lamb was no longer a stock holder in the Wild Goose Casino.

VIOLATIONS:

1) RCW 9.46.075 Denial, suspension, or revocation of license, application, or permit

The Commission may deny an application, or suspend or revoke any license or permit issued by it, for any reason or reasons, it deems to be in the public interest. These reasons shall include, but not be limited to, cases wherein the applicant or certified employee, or any person with any interest therein:

(The following subsections apply.)

(1) Has violated, failed or refused to comply with the provisions, requirements, conditions, limitations or duties imposed by chapter 9.46 RCW and any amendments thereto, or any rules adopted by the Commission pursuant thereto, or when a violation of any provision of chapter 9.46 RCW, or any Commission rule, has occurred upon any premises occupied or operated by any such person or over which he or she has substantial control.

(8) Fails to prove, by clear and convincing evidence, that he, she or it is qualified in accordance with the provisions of this chapter;

(10) Has pursued or is pursuing economic gain in an occupational manner or context which is in violation of the criminal¹ or civil public policy of this state if such pursuit creates probable cause to believe that the participation of such person in gambling or related activities would be inimical to the proper operation of an authorized gambling or related activity in this state. For the purposes of this section, occupational manner or context shall be defined as the systematic planning, administration, management or execution of an activity for financial gain;

2) WAC 230-03-085 Denying, suspending, or revoking an application, license or permit

We may deny, suspend, or revoke any application, license or permit, when the applicant, licensee, or anyone holding a substantial interest in the applicant's or licensee's business or organization:

(The following subsections apply.)

(1) Commits any act that constitutes grounds for denying, suspending, or revoking licenses or permits under RCW 9.46.075.

(3) Has demonstrated willful disregard for complying with ordinances, statutes, administrative rules, or court orders, whether at the local, state, or federal level; or

(8) Poses a threat to the effective regulation of gambling, or creates or increases the likelihood of unfair or illegal practices, methods, and activities in the conduct of gambling activities, as demonstrated by: (a) Prior activities.

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¹ RCW 9A.56.040 Theft in the second degree.

(1) A person is guilty of theft in the second degree if he or she commits theft of:

(a) Property or services which exceed(s) seven hundred fifty dollars in value but does not exceed five thousand dollars in value, other than a firearm as defined in RCW 9.41.010 or a motor vehicle;

(2) Theft in the second degree is a class C felony.

3) RCW 9.46.190 Violations relating to fraud or deceit.

Any person or association or organization operating any gambling activity who or which, directly or indirectly, shall in the course of such operation:

(The following subsections apply.)

- (1) Employ any device, scheme, or artifice to defraud; or
- (2) Make any untrue statement of a material fact, or omit to state a material fact necessary in order to make the statement made not misleading, in the light of the circumstances under which said statement is made; or
- (3) Engage in any act, practice or course of operation as would operate as a fraud or deceit upon any person;

4) RCW 9.46.153(1) Applicants and licensees - responsibilities and duties

It shall be the affirmative responsibility of each applicant and licensee to establish by clear and convincing evidence the necessary qualifications for licensure of each person required to be qualified under this chapter, as well as the qualifications of the facility in which the licensed activity will be conducted.

William P. Lamb, a card room employee and ten percent owner of the Wild Goose entered the count room while the business was closed and removed cash that did not belong to him, from the table drop boxes before the cash was counted, in violation of RCW 9.46.190. As a result, the licensee poses a threat to the effective regulation of gambling, or creates or increases the likelihood of unfair or illegal practices, methods, and activities in the conduct of gambling activities based on his activities. Mr. Lamb pursued economic gain in an occupational manner or context which is in violation of the criminal or civil public policy of this state if such pursuit creates probable cause to believe that the participation of such person in gambling or related activities would be inimical to the proper operation of an authorized gambling or related activity in this state. Therefore, there are grounds to revoke William P. Lamb's license under RCW 9.46.075(1), (8) and (10), and WAC 230-03-085(1) and (8).

III.

Jurisdiction of this proceeding is based on 9.46 RCW, Gambling, chapter 34.05 RCW, the Administrative Procedure Act, and WAC Title 230.

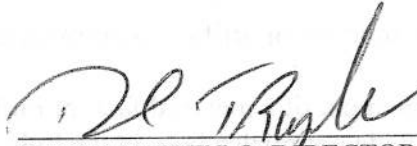
The licensee will have the opportunity to have a hearing on the alleged violations.

In order to have a hearing or discuss settlement options, the enclosed request for hearing must be completed and returned to the Gambling Commission **within 23 days** from the date of the mailing of this notice.

Based on RCW 34.05.440, failure to return a request for hearing will result in the entry of a default order REVOKING YOUR LICENSE.

IV.

I have read this Notice of Administrative Charges and Opportunity for an Adjudicative Proceeding, know the contents of it, believe it to be true, and have executed this Notice in my capacity as Director of the Washington State Gambling Commission.


DAVID TRUJILLO, DIRECTOR

3/24/2015
(Date)

STATE OF WASHINGTON)

COUNTY OF THURSTON)

I certify I have this day served a copy of the document upon all parties of record in the proceeding by mailing a copy, properly addressed with postage prepaid, by regular and certified mail to each party to the proceeding or his or her attorney or authorized agent.

Dated at Olympia, Washington this 24 day of March, 2015.

